

## California Health and Safety Code §§ 119400 – 119402 Declaration

### Keryx declares that:

- (i) The Compliance Program is reasonably designed to prevent or detect and address misconduct that encompasses the compliance program requirement set forth in the California Marketing Practices Act (California Health and Safety Code §§ 119400-119402, or the “California Statute”);
- (ii) To the best of our knowledge, Keryx is in compliance with its Compliance Program and the requirements of the California Statute as of June 1, 2014. Keryx will evaluate and update our Compliance Program, as necessary and appropriate.

For purposes of complying with the California Statute, Keryx has established a maximum annual aggregate dollar limit of two thousand dollars (\$2,000) for gifts, promotional materials, and related activities provided to California healthcare professionals. This limit is an annual limit, not an average or targeted spending limit, and the amount spent per healthcare professional is anticipated to be substantially less than this maximum amount. For purposes of clarity, this annual spending limit does not include the value of: (1) drug samples given to physician and healthcare professional intended for free distribution to patients; (2) financial support of independent education including continuing medical education; (3) financial support for health education scholarships; and (4) payments made for legitimate professional services provided by a healthcare professional so long as the amount paid is based up the fair market value of the services provided.

If you would like to receive a printed version of this Annual Declaration of Compliance and/or Keryx’s Code of Conduct, you may call Keryx at (617) 466-3500. Please state that you are requesting a printed copy of Keryx’s annual Declaration of Compliance and/or Code of Conduct.

*Reviewed and Updated (no changes): April 1, 2016*